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# Paying the Price:

## Sex Workers in Prison and the Reality of Stigma

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**Sex workers are a hidden demographic of the female prison estate. The Corston Report<sup>2</sup> called for a new *Reducing Reoffending Pathway 9* for women who have engaged in prostitution. Yet this involves having to locate the women who sell sex and having the support in place inside prison. Those engaging in sex work have specific needs relating to health care, securing housing, engaging with charities who assist with safer worker practices and exiting support, and coping with the additional stigma of being a prisoner who also works in the sex industry, particularly in a street-based setting. This paper derives from my Ph.D research at HMP New Hall. There are no official records kept for the number of sex workers in custody. And despite the plethora of research on various elements of the sex industry,<sup>3</sup> there is little on the specific group of sex workers in prison.<sup>4</sup> My study seeks to be a small part of remedying that shortfall.**

### Methodology

My study had three broad research questions to frame each session:

1. How do female prisoners with a history of engaging in sex work feel about imprisonment?
2. How do they feel about exiting?
3. How do they feel about access to specialist services inside and outside the prison?

The questions were deliberately broad so that the sessions could be participant-led where possible, and to provide the women with a space to talk about their lives, opinions and experiences. I abided not only by the British Sociological Association, Leeds Beckett University and National Offender Management Services' Codes of Ethics, but also as influenced by my feminist standpoint epistemology that is deeply committed to the wellbeing and understanding of marginalised women. My ethical

responsibility to this highly vulnerable group of inmate meant I took written consent every week, verbally recounted the consent forms and issues every week, and reminded the women of the ability to delete chunks of data, throughout the process. I also ensured that I would not jeopardise future research opportunities for those sociologists entering the field after me, and that I would uphold the respect, dignity and textured understanding of sex workers at all conferences and events. All names have been changed to pseudonyms chosen by the women so that they can recognise themselves in the research, and the women were made aware that I will use our data in the form of direct quotations, their poetry, and through discourse analysis.

The research took place in the Together Women Project (TWP) centre at HMP New Hall. From October 2014 through February 2015. TWP occupies a unique and valuable position within the prison in that it is set apart from the main wings, and offers the inmates 32 different external agencies to support them with issues from housing, mental health and benefit advice. The centre is run by TWP staff. Our two-week pilot took place in one of the prison recreation rooms, and the women suggested that TWP would be a preferred environment, as it is removed from the wing and officers passing by, and is thus more relaxed. TWP offers the women comfortable seating which we arranged into a circle, has tables to put our biscuits, drinks and papers on, and the women are allowed to make their own hot drinks. Such points should not be trivialised, for it is important to understand the lived experiences of these women both inside and outside of the prison. I had naively underestimated what a luxury biscuits were in the prison, and the novelty of having tea, coffee and sugar offered to them. I was allowed to provide biscuits in lieu of the gift voucher or other payment one would normally offer participants. This created a positive environment for the group. It also meant that prison staff did not have to keep looking in to see

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1. Thank you to all the women who co-created this research, and the staff at TWP New Hall for your assistance.
  2. Corston J (2007) *The Corston Report: A Review of Women with Particular Vulnerabilities in the Criminal Justice System*, London: Home Office.
  3. Sanders, T & Campbell, R (2014) 'Criminalization, protection and rights: Global tensions in the governance of commercial sex', *Criminology and Criminal Justice*, 14, 5, pp. 535-548; Sanders, T & Scoular, D (eds.) (2010) *Regulating Sex/Work: From Crime Control to Neo-liberalism?*, Oxford: Wiley-Blackwell; Sanders, T, O'Neill, M & Pitcher, J (2009) *Prostitution sex work, policy and politics*, London: Sage; Phoenix, J (2009) (ed.) *Regulating Sex for Sale Prostitution policy form in the UK*, Bristol: Policy Press.
  4. Clark, L (2009) *Sex Workers in Prison Project Evaluation Report*, The Griffins Society; Clark, L (2006) *Provision of Support For Imprisoned Adult Female Street-based Sex Workers*, The Griffins Society.

if I was ok, as TWP has several staff in the adjacent room.

My sampling cannot be said to be representative of all sex workers in custody, given that they are not a homogenous group, and that their personal and working practices differ considerably. Representative probability sampling of 'hidden populations' is widely understood to be difficult.<sup>5</sup> I also did not want to 'out' anybody and so made the decision to not use posters or promotional materials that could be a talking point of unsupportive staff members or women who verbally abuse those known to be sex workers. Instead, the *Pathway 9* co-ordinator told women who she knew about my study. These women were then free to tell their friends or cell mates. Participant information sheets and consent forms were sent in advance, so that women could discuss my study with friends, staff or family. Snowball sampling was then employed, in that women in Study One told their friends about the research, and some of these women came to Study Two. Women were emphatically told that taking part was voluntary, and that there would be no negative consequences for declining the invitation to take part. Indeed, given my method as outlined below, women were free to sit and listen and not speak. Or to comment only on the poetry and not the three broad research questions. This was a risk in terms of obtaining data but crucial for my commitment to feminist research and in building a trusting relationship with the women.

My chosen research method was reading aloud; using literature in the form of reading aloud to build a rapport and use literary language and thinking<sup>6</sup> to explore both the texts and the women's own life worlds.<sup>7</sup> My focus groups had space for up to ten women given that this is the maximum that would be

manageable in a group session. The women were also given the opportunity to write,<sup>8</sup> both to deliver to the group or to keep for themselves. The benefits of reading aloud are well documented,<sup>9</sup> and the benefits of literature-based interventions are supported by a wealth of research.<sup>10</sup> I wanted to provide the women with an opportunity to express themselves freely,<sup>11</sup> and the tool of literary thinking lent itself well to this.<sup>12</sup>

### Data Analysis

All audio recordings were transcribed verbatim by myself. I listened to each recording twice before transcribing, and made notes as I transcribed. This was time consuming, but gave me a deep understanding of my data, and allowed me to familiarise myself with the different accents, colloquialisms, names for drugs, intonation etc. As I listened to each recording, I could visualise which women it was speaking, and any looks that were exchanged within the group, and other actions that affected the meaning. This was also crucial for my own reflections on my research practice, for inclusion within my reflexivity chapter. I am using Foucauldian Discourse Analysis, and this paper will discuss an emergent theme from the initial stages of my data analysis.

### Stigma

Identifying this hidden demographic is the main barrier to research, with stigma<sup>13</sup> being a clear reason why women do not want to 'out' themselves as selling sex. It is clear that talking about being a sex worker in prison carries the risk of being constructed as doubly deviant, and being stigmatised by other inmates and some staff. This stigma and fear of judgement can prevent women accessing services relating to their

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consequences for  
declining the  
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take part.

5. Levy, J (2015) *Criminalising the Sale of Sex Lessons from Sweden*, Oxon: Routledge, p. 12; Sanders, T (2006) 'Sexing Up the Subject: Methodological Nuances in Researching the Female Sex Industry', *Sexualities*, 9, pp. 449-468.
6. Davis, P (2013) *Reading and the Reader The Literary Agenda*, Oxford: Oxford University Press.
7. O'Neill, M (2001) *Prostitution & Feminism Towards a Politics of Feeling*, Cambridge: Polity Press; Sweeney, M (2008) 'Books as Bombs: Incendiary Reading Practices in Women's Prisons', *Theories and Methodologies*, pp. 666-672.
8. Brooks, A & Johnson, R (2010) 'Exposed Yet Unrevealed: Reflections on the Poetry of Women Prisoners', *Gender Issues*, Vol. 27, pp. 146-164.
9. Billington, J & Robinson, J (2014) *An Evaluation of a Pilot Study of a Literature Based Intervention with Women in Prison*, CRILS, University of Liverpool.
10. Billington, J; Dowrick, C; Hamer, A; Robinson, J & Williams, C (2010) *An investigation into the therapeutic benefits of reading in relation to depression and well-being*, Liverpool: Liverpool Health Inequalities Research.
11. Sweeney, M (2012) (ed.) *The Story Within Us Women Prisoners Reflect on Reading*, Illinois: University of Illinois.
12. *ibid.*
13. Goffman, E (2009) *Stigma Notes of the management of spoiled identity*, London: Penguin.

working status. Given that *Pathway 9* is a Reducing Reoffending pathway, this stigma can mean women reoffend due to a lack of support and appropriate frameworks being put into place prior to release.

*Yeah for one, I don't want the staff to know I came here, coz they'll wind me up, and the prisoners, a lot of them do it, but they will call you for it, and it's like, we're no different, and we're not bad people, and you get people on the out, saying look at that prozzy, look at that crackhead. (Billie Jean).*

*You get all lasses on the wing and that, calling you, ...and then you find out that have it done it, and it's like why you pretend. (Jessica).*

*You may cut me with your eyes, yeah, and it, it, the hate that people have for prostitutes and stuff, so you know what I mean. (Tilly).*

Far from being an abstract theoretical conception, stigma has real consequences for sex workers in prison. It can lead to increased stress contributing to mental health problems, and can increase social isolation contributing to further social exclusion.<sup>14</sup> It leads to women feeling ashamed, fearful and unwilling to report rape and other violence against them, and from sharing safer working practices openly.

### Legal position of selling sex

The legalities of selling sex are often confused, and it is little wonder that many sex workers in prison believe that selling sex is illegal and thus do not wish to disclose their working status. The Policing and Crime Act 2009<sup>15</sup> states that soliciting in a public place is an offence, as in kerb-crawling. Section 53a of the Policing and Crime Act 2009 states that it is illegal to buy sex from someone who has been subjected to force or deception. Brothel keeping also continues to be an offence,<sup>16</sup> which prevents women from working together as a safety measure, and prevents women

from talking about their work in prison given its illegality. Given it is the recommendations of *Paying the Price*<sup>17</sup> and its subsequent report *A Coordinated Prostitution Strategy*<sup>18</sup> that have been incorporated into this act, the abolitionist radical feminist framing is clear to see; that all prostitution is conflated with commercial sexual exploitation. This makes it very difficult for women to admit to wanting to continue selling sex, or for us to understand the complexities of buyer-seller relationships, particularly those which are long-standing and some whom the woman consider to be a friend. As such, vital opportunities to work with and support women in custody who sell sex, are lost.

Initiatives such as National Ugly Mugs to forewarn the women of dangers from 'dodgy' clients, and methods such as equipping the women with a sex work kit and sexual health advice targeted at working women prior to release, can help the women work more safely.

Talking openly about safer working practices in a group deemed safe by the women, can also be beneficial in sharing working advice. However such tools not permitted within the framework of all commercial sex as inherent violence against women. Moreover, women who are attacked in their line of work, by clients, passersby or vigilantes, will not report their abuse to prison staff and gain access to counselling if their work is going to be seen as the problem. All of

## Talking openly about safer working practices in a group deemed safe by the women, can also be beneficial in sharing working advice.

the women I spoke with have suffered severe trauma, and some know women who have been murdered during the course of their work. Safer working practices should be discussed alongside the option of exiting help and services, with the latter not being pushed on women over the former. Women making trusting relationships with staff from sex work outreach charities inside the prison gates have the option of continuing that support once they are released. Given the chaotic nature of these women's lives, having such support in place is invaluable. My participants spoke highly of sex work services they access 'on the out' some of whom also visit in prison. Making these connections before the women are released is crucial.

Stigma is reinforced by the abolitionist radical feminist approach<sup>19</sup> that aims to 'end demand'<sup>20</sup> by

14. Balfour, R & Allen, J (2014) *A Review of the Literature on Sex Workers and Social Exclusion*, London: University College London Institute of Health Equity, p.9.

15. Home Office (2009) *Policing and Crime Act 2009*, London: HMSO.

16. Home Office (2010b) *Home Office Circular 006/2010: Policing and Crime Act 2009 — New Prostitution Provisions*, London: Home Office.

17. Home Office (2004) *Paying the Price: A Consultation Paper on Prostitution*, London: Home Office.

18. Home Office (2006) *A Coordinated Prostitution Strategy and a Summary of Responses to Paying the Price*, London: Home Office.

19. Levy, J (2015) *Criminalising the Sale of Sex Lessons from Sweden*, Oxon: Routledge.

20. Eaves, (2008) *Big Brothel A Survey Of The Off-Street Sex Industry In London*, London: The Poppy Project.

criminalising the purchase of sex. This perspective rejects that sex work is labour<sup>21</sup> and instead frames it as abuse. But women who engage in commercial sex do not always exchange sexual contact for money. The relationships they are involved in are far more complex and can combine elements of poverty, need, trust, exploitation and even love. Boyfriends or friends who provide shelter in return for sporadic sex, create a grey area of the oft-implied direct transaction of sex and cash. Indeed, many such relationships may be seen as normative within the confines of that relationship and indeed the habitus<sup>22</sup> of street-based sex workers. In contrast to the predatory 'John' that many abolitionist radical feminists refer to, many street-working women have had their regulars for many years, and may socialise by taking drugs or drinking as part of a mixed group. Therefore telling women to simply 'stop contact' with those they consider to be their social circle, is problematic.

*So you just go down beat, all you see is ex prostitutes, your friends, your punters, do you know what I mean, you know everyone. It's just a big circle isn't it (Kate).*

A long-term friend who supplies alcohol, drugs or food, in return for sex, perhaps sporadically or intermittently, cannot be understood in terms of the simplistic 'John'. These women often do not define themselves as sex workers, nor see what they are doing as irregular from 'normal' relationships. Therefore caution must be taken not to 'other' the women by labelling them as sex workers if they do not identify as such, or as being in exploitative inter-personal situations, without highlighting the similarities between many of these relationships and the relationships of many women under patriarchy. Scoular makes the crucial point that it is not only

The relationships they are involved in are far more complex and can combine elements of poverty, need, trust, exploitation and even love.

commercial sex that has questions of power and inequality.<sup>23</sup> It makes more sense to view sex work in this context, as labour,<sup>24</sup> as neither inherently exploitative or free from exploitation,<sup>25</sup> and having underlying push-factors of poverty, as with any labour performed under capitalism.

### Licence to Fail

Another way of considering that abolitionist radical feminist approach is to borrow the term coined by Scoular and Carline (2014).<sup>26</sup> They write about the 'sweeping neo-abolitionism' in the governance of UK sex work, emphasising that Section 17 of the Policing and Crime Act, 2009 includes the promotion of 'rehabilitation' for sex workers' by the use of Engagement and Support Orders (ESOs) to 'rehabilitate' street-based sex workers.<sup>27</sup> Sanders also writes about rehabilitation drawing from the Criminal Justice and Immigration Bill, 2008, that proposed a 'Compulsory Rehabilitation Order'.<sup>28</sup> Sanders argues that this proposal 'envisaged the direct criminalization of excluded and vulnerable women for a low level offence...'<sup>29</sup> This 'rehabilitation' is seen in the context of sex workers as offenders, and as such is seen as cleansing public space of an

undesirable activity and presence, rather than offering the women services that will work for them regardless of whether they wish to exit at this stage. This also reiterates the Prostitution Strategy's stance that exiting is the only valid outcome. Viewing all sex work through a lens as violence against women<sup>30</sup> is not only unhelpful and simplistic<sup>31</sup> but legitimizes punitive action against sex workers 'for their own good/protection'.<sup>32</sup>

21. Matthews, R; Easton, H; Young, L & Bindel, J (2014) *Exiting Prostitution A Study in Female Desistance*, Hampshire: Palgrave Macmillan.
22. Bourdieu, P (1984) *Distinction*, Oxon: Routledge.
23. Maher, J; Pickering, S & Gerard, A (2013) *Sex Work Labour, mobility and sexual services*, Oxfordshire: Routledge.
24. Chapkis, W (1997) *Live Sex Acts: Women Performing Erotic Labour*, London: Routledge; Oerton, S and Phoenix, J (2001) *Sex/Body Work: Discourses and Practices*, *Sexualities: Studies in Culture and Society*, 4;4, pp.387-412; Phipps, A (2014) *The Politics of the Body*, Cambridge: Polity Press, p. 94.
25. O'Connell-Davidson, J (1995) 'The anatomy of 'free choice' prostitution', *Gender, Work & Organisation*, 2, 1, pp.1-10, p.8.
26. Scoular, J; Carline, A (2014) 'A critical account of a 'creeping neo-abolitionism': Regulating prostitution in England and Wales', *Criminology and Criminal Justice*, 14, 5, pp. 608-626.
27. Ibid, p.610.
28. Sanders, T (2009) 'Controlling the 'Anti Sexual' City: Sexual Citizenship and the Disciplining of Female Street Sex Workers', *Criminology and Criminal Justice*, 9, pp.507-525, p.512.
29. Ibid.
30. Farley, M (2003) 'Prostitution and the Invisibility of Harm', *Women and Therapy*, 26, 3/4 pp. 247-280.
31. O'Connell-Davidson, (1998) *Prostitution, Power and Freedom*, Malden: Polity Press, p. 110.
32. Atkins, H (2010) 'What Judges think about prostitution' *Assessing the considerations and measures employed by members of the judiciary for sentencing women who sell sex*, The Griffins Society, p. 17; Brooks-Gordon, B (2006) *The Price of Sex, Prostitution Policy and Society*, Devon: Willan, p. 64.

This means sex workers occupy a precarious position, they are both victim<sup>33</sup> and offender.<sup>34</sup> For those selling sex and in custody, it is easy to see why they do not want the additional deviance of the sex worker label. A consequence of this is sex workers preferring to stay 'under the radar' in prison, scared of the consequences of coming forward and saying they sell sex. This fear is a major barrier to accessing services that can positively impact woman's health, safety and lessen their risk of reoffending.<sup>35</sup> My research has also shown that the women are scared of 'rehabilitation' and want to engage with services on their own terms, and in their own time. Given the high prevalence of mental health issues within the female prison estate, trust is absolutely crucial in developing fruitful relationships with sex workers. 49 percent of women in custody are reported to suffer from depression and anxiety compared to 19 percent of women in general population<sup>36</sup> and half of women prisoners in one study took medication for the central nervous system, compared to just a fifth of men.<sup>37</sup> Of all the women sent to prison, 46 percent report they have attempted suicide at some point in their lives.<sup>38</sup> Despite accounting for only 6 percent of the prison population, women account for half of all self-harm incidents in prison<sup>39</sup> Arguably the prevalence of mental health problems in the female estate is much higher than studies suggest. Women are fearful of disclosing mental health issues for fear of losing custody of children upon release, or facing punitive action in prison such as segregation and strip searches. The emphasis on exiting means that the women feel pressured, judged and controlled and are willing to divulge their experiences.

Project workers have expressed concern at not wanting to be seen as enforcement agencies<sup>40</sup> and likewise, sex workers are concerned about the

intentions of support services.<sup>41</sup> Although seen by participants in Carline and Scoular's study as an improvement upon previous system of fines, the problems arose in terms of offering support for vulnerable women inside of an enforcement framework.<sup>42</sup> As such, Carline and Scoular argue that such orders can be seen in terms of enforced welfare.<sup>43</sup>

*It's like they recall you outside for missing an appointment or having a positive drug test, instead of helping you, instead of saying right we'll deal with it and get you off the drug, they just send you back to jail and they don't wanna help you (Sasha).*

This fits in with the neoliberal notion of individualization and the 'choice' to change. In this discourse the structural inequalities and conditions the woman experienced, past abuse, poor education, health problems, unplanned pregnancies, low self-esteem, engagement in sex work, substance misuse, poor housing or lack of housing, are erased from the debate. This discourse also informs policy that translates as women being coerced into 'rehabilitation'. The female offender must prove that she wants to be 'cured' of her ills, and make the right choices. Sanders and Scoular argue that interestingly, the prevalent victim model, whereby the woman must exit sex work to be deemed worthy, take place in a social context of punitive welfarism.<sup>44</sup> Women selling sex on the street are doing so to survive.

For women who have been sentenced due to breaching orders, or for crimes relating to the sex buyer, the law seems more muddled and 'against' them, and they are less likely still to trust the prison system and access support. They are fearful of divulging anything

**This fear is a major barrier to accessing services that can positively impact woman's health, safety and lessen their risk of reoffending.**

33. Kingston, S (2014) *Prostitution in the Community*, Oxon: Routledge, p. 32.

34. Campbell, J (2015) *First Women jailed for breaching order against prostitution in Hessle*, Hull: Hull Daily Mail, Available at: <http://www.hulldailymail.co.uk/woman-jailed-breaching-order-prostitution-Hessle/story-26864715-detail/story.html>

35. Balfour, R & Allen, J (2014) *A Review of the Literature on Sex Workers and Social Exclusion*, London: University College London Institute of Health Equity, p. 9.

36. Ministry of Justice, (2013) *Gender Differences in Substance Misuse and Mental Health Amongst Prisoners*, London: Ministry of Justice.

37. O'Brien, M; Mortimer, L; Singleton, N and Meltzer, H (2003) 'Psychiatric Morbidity among young women prisoners in England and Wales', *International Review of Psychiatry*, 15, 1, pp. 153-157.

38. Women in Prison, (2015) *Key Facts: Women in Prison*, Available at: <http://www.womeninprison.org.uk/research/key-facts.php>

39. WHO [World Health Organisation], (2009) *Women's Health in Prison: Correcting Gender Inequality in Health*, Copenhagen, Denmark, : WHO Regional Office for Europe.

40. Carline, A; Scoular, J (2013) 'Saving Fallen Women Now? Critical Perspectives on Engagement and Support Orders and their Policy of Forced Welfarism', *Social Policy and Society*, 14 (1), pp.103-112.

41. Carlton, B & Segrave, M (2013) *Women Exiting Prison Critical essays on gender, post-release support and survival*, Oxon, Routledge, p. 43.

42. Ibid.

43. Ibid.

44. Sanders, T & Scoular, D (eds.) (2010) *Regulating Sex/Work: From Crime Control to Neo-liberalism?*, Oxford: Wiley-Blackwell, p. 9.

that will further criminalise them, with Sasha calling it a 'licence to fail'. My participants spoke of the frequency in which women are sentenced with offences relating to their working status although it is not documented as such, for example 'theft' but in reality a client refusing to pay or wanting their money back, or violence when a fight happens between sex worker and buyer. Women feel like they are not listened to, and that their status as repeat offender and 'prostitute' spoils their identity and the police and courts do not care about their vulnerability. The 'respectable' man versus the heroin-addicted street prostitute is a narrative that was repeated throughout my research.

*I said you're saying he's vulnerable, what am I then? Coz he's taking advantage of me, thinking I'm gonna have sex with him for £20, but they didn't believe it (Dream).*

*Well he weren't vulnerable when he was kicking shit out of me, do you know what I mean (Billie Jean).*

*Well mine, even though I didn't burgle him, my barrister was saying coz all my offences are dishonesty, he said a judge won't give a shit, they'll look at your previous, see you're a*

*thief, and he'll slam ya. So he came to see me on Tuesday and said listen, I believe you never done it. I said listen, if I'd burgled him I'd have emptied his house (Jessica).*

## Conclusion

This research indicates that having non-judgemental support services inside the prison is necessary for sex workers. There needs to be a clear *Pathway 9* in the prison estate, and supportive partnerships with outside agencies who listen to what the women are saying, rather than pushing them to exit. It needs to be clear that involvement in sex work will not lead to punitive treatment or further criminalisation of these women, and staff must use non-stigmatising language and view the women's work in context of a declining welfare state and the feminization of poverty and social exclusion. Having the resources to provide holistic services in centres such as TWP allows the women to build trusting relationships with staff whom they can confide in. I suggest that *Pathway 9* Coordinators be given the time and resources to identify and engage with this marginalized group and that staff are given specialist training to understanding the underlying issues of engagement with commercial sex.